

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

MARTIN CARRILLO, )

Defendant. )

CASE NO. MJ07-477

DETENTION ORDER

Offenses charged:

Count 1: Conspiracy to Possess with Intent to Distribute and Distribute  
Controlled Substances, in violation of Title 21, U.S.C., Section  
841(a)(1), and Title 18, U.S.C., Section 2;

Count 15: Death Caused by the Use of a Firearm During a Crime of Violence,  
in violation of Title 18, U.S.C., Section 1111.

Date of Detention Hearing: October 10, 2007

The Court, having conducted an uncontested detention hearing pursuant to Title  
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for  
detention hereafter set forth, finds that no condition or combination of conditions which the  
defendant can meet will reasonably assure the appearance of the defendant as required and

1 the safety of any other person and the community. The Government was represented by  
2 Matthew Diggs. The defendant was represented by Michelle Shaw.

3 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

4 (1) There is probable cause to believe the defendant committed the charged  
5 offenses. The maximum penalty is in excess of ten years. There is  
6 therefore a rebuttable presumption against the defendant's release based  
7 upon both dangerousness and flight risk, under Title 18 U.S.C. §  
8 3142(e).

9 (2) The offense for Count 15 of the charging document allegedly involves a  
10 homicide and use of a deadly weapon. Defendant is therefore viewed as  
11 a risk of danger.

12 (3) The defendant has a history of failing to appear and there is an active  
13 warrant for his arrest in the state of Washington.

14 (4) Defendant was not interviewed by Pretrial Services.

15 Based upon the foregoing information which is also consistent with the recommendation  
16 of detention by U.S. Pre-trial Services, it appears that there is no condition or  
17 combination of conditions that would reasonably assure future Court appearances and/or  
18 the safety of other persons or the community.

19 **It is therefore ORDERED:**

20 (1) The defendant shall be detained pending trial and committed to the  
21 custody of the Attorney General for confinement in a correction facility  
22 separate, to the extent practicable, from persons awaiting or serving  
23 sentences or being held in custody pending appeal;

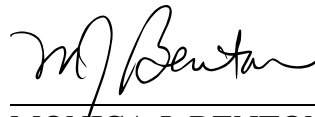
24 (2) The defendant shall be afforded reasonable opportunity for private  
25 consultation with counsel;

26 (3) On order of a court of the United States or on request of an attorney for

1 the Government, the person in charge of the corrections facility in which  
2 the defendant is confined shall deliver the defendant to a United States  
3 Marshal for the purpose of an appearance in connection with a court  
4 proceeding; and

- 5 (4) The clerk shall direct copies of this order to counsel for the United  
6 States, to counsel for the defendant, to the United States Marshal, and to  
7 the United States Pretrial Services Officer.

8 DATED this 11<sup>th</sup> day of October, 2007.

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11 MONICA J. BENTON  
12 United States Magistrate Judge  
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